

REMARKS/ARGUMENTS

New claim 21 is the sole claim remaining in this application.

Claims 9-20 were previously canceled by Examiner's amendment.

Claims 1-8 are canceled by this amendment.

The examiner had previously indicated that claims 1-8 were allowable. However, in the present office action, the examiner withdrew the prior indication of allowability based upon newly cited art. In a telephone interview, on August 16, 2006, the undersigned proposed new claim 21 to Examiner Davis. During the telephone interview, Examiner Davis indicated that the new claim appeared to be allowable and requested that the undersigned present the claim by formal amendment.

Claims 1 and 4-6 were rejected under 35 U.S.C. 103(a) as being unpatentable over Cross (US 4,696,118), in view of Due (US 5,379,979). Claim 2 was rejected under 35 U.S.C. 103(a) as being unpatentable over Due in view of Cross as applied to claim 1, and further in view of Pedersen (US D91541).

Claims 1-8 have been canceled. New claim 21 (presented above) recites structural limitations that are not anticipated by, nor rendered obvious in view of, any of the references of record, either individually or in combination. In particular, claims 21 recites:

“A portable display apparatus for communicating information pertaining to the whereabouts of a worker within a workplace environment, comprising:

... a plurality of stacked information cards supported along an intermediate area of the planar front panel ...

... an erasable marking surface disposed on a first area of the front panel adjacent to the intermediate surface ...

.... a clock face disposed upon an opposite second area of the front panel adjacent to the intermediate front panel area; and

a pair of non-electronic manually-adjustable pivoting clock hands secured to the front panel and disposed over the clock face.

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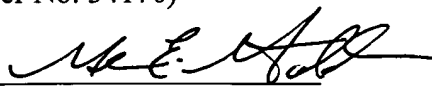
U.S. Patent No. 4,696,118 to Cross does not disclose stacked information cards supported along an intermediate area of a planar front panel. Instead, it discloses a pad of paper extending along the entire length of the first panel of the display mount.

U.S. Design Patent No. 91,541 discloses a design for a Kitchen Utility Cabinet. Initially, it is noted that the cited reference is a *design* patent and, accordingly, fails to disclose any functionality. Clearly, this reference fails to teach non-electronic manually adjustable clock hands. Furthermore, applicant's invention is directed to a *portable display*, while the cited reference, relating to a *kitchen utility cabinet*, pertains to a completely non-analogous art.

In light of the above amendment and remarks, as well as the Examiner's indication during the telephone interview that new claim 21 would be allowable, applicant respectfully requests that a timely Notice of Allowance be issued in this case, including allowance of claim 21.

Should the Examiner consider necessary or desirable any formal changes anywhere in the specification, claims and/or drawings, then it is respectfully asked that such changes be made by Examiner's Amendment, if the Examiner feels this would facilitate passage of the case to issuance.

Respectfully submitted,
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